

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION**

PATRICIA MCGOWN,

Plaintiff,

vs.

WILLIAM INSKEEP; MARK KOZUBAL;  
SUSTAINABLE BIOPRODUCTS  
HOLDINGS COMPANY LLC;  
SUSTAINABLE BIOPRODUCTS INC;  
and DOES 1–5.

Defendants.

**CV-20-20-BU-BMM**

**ORDER GRANTING  
DEFENDANT’S EMERGENCY  
MOTION**

Plaintiff Patricia McGown filed a Complaint against Defendants William Inskeep, Mark Kozubal, Sustainable Bioproducts LLC, Sustainable Bioproducts Holdings Company LLC, Sustainable Bioproducts Inc, and John Does 1–5. Doc. 7. Defendants Kozubal, Sustainable Bioproducts LLC, Sustainable Bioproducts Holdings Company LLC, Sustainable Bioproducts Inc, (“Moving Defendants”) filed a Motion to Dismiss, under Fed. R. Civ. Pro. 12(b)(6). Doc. 10. Moving Defendants filed Motion for a Protective Order Staying Discovery pending the Court’s resolution of the Motion to Dismiss. Doc. 26. The Court held a hearing on this matter on August 17, 2020. Doc. 42. The Court denied the Motion to Dismiss on

September 29, 2020. Doc. 50. The Court denied the Motion for a Protective Order as moot on October 2, 2020. Doc. 51.

Moving Defendants filed an Emergency Motion for Order on November 6, 2020. Doc. 56. Moving Defendants intend to request an amended protective order in the near future. Doc. 57. Moving Defendants seek in their Emergency Motion an order from the Court permitting them to designate certain discovery documents as “Attorneys’ Eyes Only” until the Court resolves Moving Defendants’ forthcoming request for an amended protective order. Doc. 56.

For the good cause provided in Moving Defendants’ brief (Doc. 57), the Court grants Moving Defendants’ Emergency Motion for Order.

### **ORDER**

Accordingly, **IT IS ORDERED** that Moving Defendants’ Emergency Motion for Order (Doc. 56) is **GRANTED**.

1. Moving Defendants shall file their motion to modify the Protective Order to an “Attorneys’ Eyes Only” designation by no later than 5:00 p.m. MST on Wednesday, November 11, 2020;
2. Until the Court rules on that motion, the Moving Defendants may produce documents stamped “Attorneys’ Eyes Only”; and,

3. Plaintiff's counsel shall not disclose any documents stamped "Attorneys' Eyes Only" to anyone other than: (1) counsel of record, (2) their staff, (3) their experts, and (3) the Court (including the mediator and their respective staff).

Dated the 6th day of November, 2020.



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Brian Morris, Chief District Judge  
United States District Court